

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 2/6/2020

AARON COPPELSON and  
NIGHTENGALE NY1, LLC,

Plaintiffs,

-v-

RYAN SERHANT, NEST SEEKERS  
INTERNATIONAL LLC, ELAD RAHAMIN and  
WELLS FARGO ADVISORS, LLC,

Defendants.

19-cv-08481 (LL)

ORDER

LEWIS J. LIMAN, United States District Judge:

The Notice of Removal in this matter was filed on September 13, 2019. Defendants invoke diversity jurisdiction pursuant to 28 U.S.C. § 1332. Those allegations, however, appear to be deficient as Defendants fail to allege the citizenship of the two limited liability companies—one on each side of the case. *See, e.g., Platinum-Montaur Life Scis., LLC v. Navidea Biopharmaceuticals, Inc.*, 943 F.3d 613, 615 (2d Cir. 2019); *Handelsman v. Bedford Vill. Assocs. Ltd. P'ship*, 213 F.3d 48, 51–52 (2d Cir. 2000).

In order to determine whether there is complete diversity of citizenship, the Court will exercise its discretion to permit Defendants to serve a limited interrogatory on Plaintiffs on or before February 18, 2020, inquiring into the identity of the members of the plaintiff LLC and their respective citizenships.

Defendant has leave to file an amended Notice of Removal by April 13, 2020. In the absence of an amended Notice of Removal properly alleging a basis for subject matter jurisdiction, the case will be dismissed.

IT IS FURTHER ORDERED that the Initial Pretrial Conference previously set for February 13, 2020 is ADJOURNED pending further order from the Court.

SO ORDERED.

Dated: February 6, 2020  
New York, New York



LEWIS J. LIMAN  
United States District Judge